

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
3                   EASTERN DIVISION  
4  
5       ROOSEVELT PARKER,  
6                   Plaintiff,  
7  
8       VERSUS                   CIVIL ACTION NO. 2:22-cv-45-HSO-BWR  
9  
10      STATE FARM FIRE AND  
11      CASUALTY COMPANY,  
12                   Defendant.

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20                   VIDEOCONFERENCE DEPOSITION OF SCOTT BERBERICH

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22                   Taken via Zoom Videoconference Software, on  
23                   Tuesday, January 10, 2023, beginning at  
24                   1:00 p.m.

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1 any videos of Mr. Parker's property?

2 A. None that I'm aware of.

3 Q. What I've put on the screen is what we  
4 previously marked as Exhibit 7, which is the  
5 estimate prepared by Tommy Tompkins. Is that  
6 correct?

7 A. Yes.

8 Q. Can you tell, from looking at this  
9 estimate, what pricing list was used?

10 A. January '22, Mississippi, it looks like  
11 Harrison County.

12 Q. And when you are selecting --

13 A. I'm sorry. Hattiesburg. My bad.

14 Q. Okay. When you are selecting a price  
15 list, are you supposed to choose the date of loss  
16 or some other date?

17 A. That depends on when you are writing the  
18 estimate. To me, in my opinion, you should always  
19 use it -- use the one, the current one at the time  
20 you are writing the estimate.

21 Q. Do you know how depreciation was  
22 calculated in this estimate?

23 A. It was done based on percentage. I have  
24 not looked at every -- I have not looked at every  
25 line item, but I believe the majority of the line

1 items appear to be based on percentage.

2 Q. Let's look at, for example, start with  
3 Line Item Number 3 for the sheathing, and there's  
4 a dollar amount stated for depreciation of  
5 \$560.25. Do you know how that amount was  
6 calculated?

7 A. That's something that Tommy would have  
8 done.

9 Q. Do you know how he did it?

10 A. I believe he did it based on a  
11 percentage.

12 Q. And do you know how he generated that  
13 percentage?

14 A. In Xactimate.

15 Q. And do you know where he gathered the  
16 numbers that created that percentage?

17 A. Okay. So, in Xactimate, you can --  
18 there's several options you can choose on how to  
19 apply depreciation. He would typically choose  
20 percentage.

21 Q. All right. And that's a --

22 A. And choose a percentage -- I'm sorry.  
23 Say it again.

24 Q. No. I was talking over you. I  
25 apologize.